

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

Deborah D. Walling,	)	
	)	
Plaintiff,	)	Civil Action No.: 4:15-cv-3246-TLW
	)	
v.	)	
	)	<b>ORDER</b>
Carolyn W. Colvin, Acting Commissioner	)	
of Social Security,	)	
	)	
Defendant.	)	
_____	)	

Plaintiff Deborah D. Walling (“Plaintiff”) brought this action pursuant to 42 U.S.C. § 405(g) to obtain judicial review of a final decision of the Defendant, Acting Commissioner of Social Security (“Commissioner”), denying her claims for Disability Insurance Benefits. ECF No. 1. This matter is before the Court for review of the Report and Recommendation (“the Report”) filed on November 15, 2016 by United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(a), (D.S.C.). ECF No. 21. In the Report, the Magistrate Judge recommends reversing the Commissioner’s decision and remanding the case. On December 1, 2016, the Commissioner filed a notice that there are no objections to the Report. ECF No. 23. The matter is now ripe for disposition.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge’s recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, “a

district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

In light of this standard, the Court has carefully reviewed the Report, the relevant filings, and the applicable law and notes that the Commissioner has no objection to the Report. ECF No. 23. After careful consideration, the Court concludes that it is appropriate to elicit further testimony from the Vocational Expert regarding whether the Plaintiff has transferrable skills to determine if there are other jobs available in the national economy that Plaintiff could perform based on the finding that she cannot return to her past relevant work. It is hereby **ORDERED** that the Report, ECF No. 21, is **ACCEPTED**. For the reasons articulated by the Magistrate Judge, the Commissioner’s decision is **REVERSED** and this case is **REMANDED** to the Commissioner for further proceedings consistent with this Order.

**IT IS SO ORDERED.**

s/ Terry L. Wooten  
TERRY L. WOOTEN  
Chief United States District Judge

December 7, 2016  
Columbia, South Carolina